

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

EDWARD PELROY,

Plaintiff,

Civil No. 09-6128-HU

v.

ORDER

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

HAGGERTY, District Judge:

Magistrate Judge Hubel has issued a Findings and Recommendation [27] in this action. The Magistrate Judge recommended that a judgment should be entered reversing the Commissioner's decision and remanding this case for the payment of benefits. No objections were filed, and the case was referred to this court.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that

there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. U.S. Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Findings and Recommendation, and this case is remanded for an award of benefits.

CONCLUSION

The Findings and Recommendation [27] is adopted and the Commissioner's decision is reversed and remanded for an award of benefits.

IT IS SO ORDERED.

DATED this 25 day of October, 2010.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge